

OAKLAND POLICE DEPARTMENT
Office of Chief of Police



Stop Data Annual Report
January 1, 2014 to December 31, 2014

CITY OF OAKLAND

Memorandum

TO: Office of Chief of Police
ATTN: Chief Sean Whent
FROM: Assistant Chief Paul J. Figueroa
DATE: 14 Mar 15

RE: 2014 Stop Data Annual Report

The Oakland Police Department (OPD) is committed to ensuring that all stops, searches, and seizures are constitutional and performed within Departmental policy. Oakland Police Departmental General Order M-19 explicitly prohibits racial profiling and other bias-based policing. In order to fulfill our obligation to provide the Oakland community with public safety services in a fair and equitable manner, staff collects Stop Data information. To that end, OPD requires officers to complete detailed Field Interview and Stop Data Reports (FI/SDRs) documenting and listing the reasons for actions taken during an encounter. The OPD Stop Data program increases transparency and allows the Department to assess effectiveness and identify potentially biased behaviors.

The following report contains Stop Data information collected for a twelve-month reporting period from January 1, 2014 to December 31, 2014. The last report published by the Department contained Stop Data from July 1, 2013 to June 30, 2014, so there is a six month overlap period with this report. Starting this year, the Department will publish reports twice a year that coincide with the end of the fiscal and calendar years. This report presents the following Stop Data categories:

- Race and Gender
- Stop Reasons by Race
- Search Percentages by Race
- Search Recovery Percentages by Race (Including and Excluding Incident to Arrest and Inventory Searches)
- Search Types by Race
- Search Type Recovery Percentages by Race
- Stop Results by Race

The Department recognizes the complexities, challenges, and responsibilities associated with the presentation of Stop Data statistics. Stop activity can be influenced by variables such as beat demographics, crime trends, deployment patterns, Department staffing, traffic levels, and transit patterns in the City. As with previous Stop Data reports, this report is not an attempt at academic or research level data analysis, nor is it intended to establish benchmarks. Rather, this report is meant to build a solid foundation for ongoing analysis and discussion.

In the Independent Monitor's 20th Quarterly Report (released January 21, 2015), the Monitor

found that 100% of stops audited had a corresponding FI/SDR. The Monitor also found the Department in compliance with Negotiated Settlement Agreement (NSA) requirements for the documentation and justification for each stop. Numerous checks and review processes are in place to protect the accuracy and quality of Stop Data reports. The FI/SDR is an electronic data collection form that requires the completion of all Stop Data fields mandated by OPD policy prior to FI/SDR finalization. All FI/SDRs are reviewed and approved by a supervisor. Additionally, staff conducts audits of FI/SDRs to verify that stops are justified and relative Stop Data fields marked are consistent with information contained in each FI/SDR narrative, such as the stop reason and the type of contraband recovered.

Stop Race and Gender

During this review period, staff collected 33,229 FI/SDRs. African Americans composed the largest percentage of those stopped at 57%, followed by Hispanics at 18% and Whites at 14%. Those categorized as Other and Asian comprised the lowest percentage of those stopped at 3% and 7%, respectively. Seventy-five percent of stops involved men and 25% involved women.

Table 1 - Stop Race

Race	Stops	%
Afr American	19,059	57%
Asian	2,314	7%
Hispanic	6,101	18%
White	4,613	14%
Other	1,142	3%
Grand Total	33,229	100%

Table 2 - Stop Gender

Gender	Count	%
Male	24,787	75%
Female	8,421	25%
Unknown	21	0%
Grand Total	33,229	100%

Stop Reasons by Race

Traffic Violations were the legal basis for 72% of all stops, followed by Probable Cause (16%) and Reasonable Suspicion (7%) (see Table 3). Subsequently, Consensual Encounters (3%), and stops conducted of individuals known to be on Probation or Parole (2%), accounted for the lowest percentages. Compared to other racial groups, African Americans had the highest percentage of stops based on Probable Cause (19%) or Reasonable Suspicion (9%), and the lowest percentage of stops for Traffic Violations at 66%. The other four racial groups were stopped for Traffic Violations 79% to 82% of the time.

Table 3 - Stop Reasons

Race	Consensual Encounter		Reasonable Suspicion		Probable Cause		Probation/ Parole		Traffic Violation		Total
	#	%	#	%	#	%	#	%	#	%	
Afr American	766	4%	1,632	9%	3,559	19%	546	3%	12,556	66%	19,059
Asian	47	2%	98	4%	236	10%	40	2%	1,893	82%	2,314
Hispanic	156	3%	299	5%	747	12%	95	2%	4,804	79%	6,101
White	152	3%	174	4%	585	13%	30	1%	3,672	80%	4,613
Other	21	2%	49	4%	135	12%	10	1%	927	81%	1,142
Total	1,142	3%	2,252	7%	5,262	16%	721	2%	23,852	72%	33,229

Searches & Search Recovery Percentages by Race

African Americans and Hispanics were searched most frequently at 36% and 23%, respectively (see Table 4). Whites, those categorized as Other and Asian were searched 12% to 14% of the time.

Table 4 - Search Percentages

Race	Search	Not Searched	Grand Total	%
Afr American	6,872	12,187	19,059	36%
Asian	311	2,003	2,314	13%
Hispanic	1,412	4,689	6,101	23%
White	558	4,055	4,613	12%
Other	156	986	1,142	14%
Grand Total	9,309	23,920	33,229	28%

Those categorized as Other had the highest recovery rate at 33%, with very few searches overall (see Table 5). African Americans and Asians had the second highest search recovery rate at 27% and 29%, respectively. Hispanics and Whites had a 25% recovery rate. The overall recovery rate for all searches was 27%.

Table 5 - Search Recovery Percentages

Race	Yes	None	Grand Total	%
Afr American	1,877	4,995	6,872	27%
Asian	89	222	311	29%
Hispanic	349	1,063	1,412	25%
White	141	417	558	25%
Other	52	104	156	33%
Grand Total	2,508	6,801	9,309	27%

Searches made incident to arrest are non-discretionary warrantless searches made after a person is lawfully arrested and taken into custody. Inventory searches are also mandatory searches that occur when a vehicle is towed. When these mandatory searches are excluded from the overall search recovery totals, those categorized as Other still had the highest search recovery rate at 40%. All other racial groups had recovery rates of 22% to 25%. Although

recovery percentages are consistent among population groups, we continue to conduct ongoing and regular reviews of this category because the Department recognizes the impact of searches on community members.

Table 6 - Search Recovery Percentages*

Race	Yes	None	Grand Total	%
Afr American	1,204	3,691	4,895	25%
Asian	48	156	204	24%
Hispanic	243	756	999	24%
White	78	273	351	22%
Other	38	57	95	40%
Grand Total	1,611	4,933	6,544	25%

*Incident to Arrest & Inventory Searches Excluded

Search Types by Race

Probation and Parole searches made up the highest percentage of searches conducted at 35% (see Table 7). Probation and Parole searches made up 38% of searches of African Americans, and 80% of all Probation and Parole searches (2,637 of 3,301) were conducted on African Americans. Individuals on parole or probation may have conditions placed on their release allowing law enforcement to conduct lawful searches without a warrant, probable cause, or reasonable suspicion. African Americans had the lowest percentage of Weapons searches at 15%, whereas Weapons searches made up 21% to 22% of searches of all other racial categories. Incident to Arrest searches made up 28% of all search types.

Table 7 - Search Types

Race	Incident to Arrest		Probation/Parole		Weapons		Probable Cause		Consent		Inventory		Total
	#	%	#	%	#	%	#	%	#	%	#	%	
Afr American	1,880	27%	2,637	38%	1,056	15%	1,001	15%	201	3%	97	1%	6,872
Asian	101	32%	98	32%	68	22%	26	8%	12	4%	6	2%	311
Hispanic	380	27%	386	27%	305	22%	249	18%	59	4%	33	2%	1,412
White	199	36%	151	27%	115	21%	66	12%	19	3%	8	1%	558
Other	55	35%	29	19%	32	21%	32	21%	2	1%	6	4%	156
Total	2,615	28%	3,301	35%	1,576	17%	1,374	15%	293	3%	150	2%	9,309

Search Type Recovery Percentages by Race

Of all search types, Probable Cause searches had the highest recovery rate at 48%. African Americans and those categorized as Other had the highest Probable Cause search recovery rates at 50% and 66%, respectively. Probation and Parole searches had an overall search recovery rate of 22%. With the exception of those categorized as Other, all race categories had Probation and Parole search recovery rates between 21% and 24%. The overall recovery rate for Weapons searches was 13%.

Table 8 - Search Type Recovery Percentages

Race	Incident to Arrest			Probation/Parole			Weapons			Probable Cause			Consent			Inventory			Total
	Yes	Total	%	Yes	Total	%	Yes	Total	%	Yes	Total	%	Yes	Total	%	Yes	Total	%	
Afr American	671	1,880	36%	557	2,637	21%	129	1,056	12%	498	1,001	50%	20	201	10%	2	97	2%	6,872
Asian	41	101	41%	23	98	23%	13	68	19%	10	26	38%	2	12	17%	0	6	0%	311
Hispanic	105	380	28%	89	386	23%	33	305	11%	113	249	45%	8	59	14%	1	33	3%	1,412
White	62	199	31%	36	151	24%	17	115	15%	22	66	33%	3	19	16%	1	8	13%	558
Other	14	55	25%	11	29	38%	6	32	19%	21	32	66%	0	2	0%	0	6	0%	156
Total	893	2,615	34%	716	3,301	22%	198	1,576	13%	664	1,374	48%	33	293	11%	4	150	3%	9,309

Stop Results by Race

Compared to other races, African Americans had the highest percentage of Felony Arrests and Field Investigation Reports at 10% and 36%, respectively; and the lowest overall percentage of Citations at 35% (see Table 9). Hispanics and those categorized as Other were cited the most at 50% and 49%, respectively. Asians and Whites had the highest percentage of Warnings at 18% and 20%, respectively. Hispanics, African Americans, and those classified as Other received warnings 13% to 15% of the time.

Table 9 - Stop Results

Race	Felony Arrest		Misdemeanor Arrest		Citation		Field Interview Report		Warning		Report Taken- No Action		Total
	#	%	#	%	#	%	#	%	#	%	#	%	
Afr American	1,829	10%	771	4%	6,621	35%	6,785	36%	2,949	15%	104	1%	19,059
Asian	81	4%	54	2%	1,118	48%	626	27%	428	18%	7	0%	2,314
Hispanic	291	5%	208	3%	3,068	50%	1,723	28%	794	13%	17	0%	6,101
White	138	3%	117	3%	1,971	43%	1,428	31%	943	20%	16	0%	4,613
Other	37	3%	34	3%	557	49%	336	29%	172	15%	6	1%	1,142
Total	2,376	7%	1,184	4%	13,335	40%	10,898	33%	5,286	16%	150	0%	33,229

Conclusion

The Department continues to work closely with the Independent Monitor to insure Stop Data is utilized in a manner that promotes Constitutional and effective policing practices. Stop Data is presented and reviewed on a rotating basis for one of the five policing areas at monthly Risk Management Meetings (RMM) chaired by the Deputy Chief of the Bureau of Services. Stop Data is analyzed in conjunction with performance indicators such as use of force, vehicle pursuits, sick leave and Personal Digital Recording Devices (PDRD) usage. Area Captains and Lieutenants are responsible for conducting in-depth analyses of officers' performance and implementing intervention plans when deficiencies are identified.

The Monitor recently reviewed search recovery rates and presented the findings in their 20th report. It was discovered that several officers did not provide adequate documentation justifying the reasons for conducting the searches. As a result of their findings and additional reviews by OPD staff, the Department will conduct additional training with sworn members on the articulation and documentation of searches. We remain committed to ensuring the legal bases for all stops and searches are clearly documented and will continue ongoing audits to that end. Appropriate corrective action will be taken for any searches found not to be justified given the circumstances. We recognize how intrusive searches are and continually strive to minimize the impact on the community by increasingly using intelligence-based strategies that focus on identified individuals suspected of criminal activity.

The Department also continues the research engagement with Professor Eberhardt and Stanford University. Professor Eberhardt and her staff are conducting an in-depth analysis of Stop Data using a variety of different benchmarks and variables. Professor Eberhardt regularly attends meetings at the Department, interacts with staff, and provides technical assistance as she progresses in her study of OPD's Stop Data collection program.



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